

FARMINGTON CITY COUNCIL MEETING

Tuesday, February 20, 2007

CITY COUNCIL WORK SESSION/EAST CONFERENCE ROOM

PRESENT: Mayor Scott C. Harbertson, Council Members David Hale, Larry W. Haugen, Paula A. Alder, Sidney C. Young, City Manager Max Forbush, City Planner David Petersen, and Recording Secretary Jill Hedberg. Council Member Richard Dutson was excused.

Mayor Harbertson began discussion at 6:00 P.M. The following items were reviewed:

Agenda Item #2: Reading of Previous Meeting

The City Council reviewed the minutes of the City Council meeting that was held February 6, 2007, and the special City Council meeting that was held February 9, 2007.

Agenda Item #5: Public Hearing: The Steed Place Project. Consideration of requests to:

- (1) **Adopt Ordinance rezoning approximately 2.3 acres at the southwest corner of 200 East/200 South Street intersection A & R-4 to R-4 PUD (2-1-07);**
- (2) **Approve PUD preliminary and PUD final Master Plan and final plat approval for "The Steed Place" project; and**
- (3) **Approval of Amendment #1 to The Steed Place Development Agreement - Todd Bradford**

Mayor Harbertson reviewed the actions to be considered by the Council. The developer's plan for the project now meets the City's 10% open space requirement without including the front yards as open space.

The City Council discussed a letter that they received from Alysa Revell, Chair of the Historic Preservation Commission regarding the old rock structure that is located on the property. According to Alysa, the old rock structure is considered historic dating somewhere between 1860-1890. This opinion conflicts with the opinion of Glen Leonard who believes the building was constructed in the 1940's.

David Hale said according to **Glen Leonard**, there are several indications that the building is not as old as it was once believed to be.

The City Council agreed that the developer should provide the City with a letter signed by the Steed family stating that they are not interested in purchasing the old rock building. The developer must provide the letter within 30 days.

Agenda Item #7: Consideration of Ordinance rezoning approximately 10 acres of property located at 48 West 600 North from "OTR" and "A-F" to "LR-F" (2-14-06)/Consideration of Schematic Plan approval for the property - Brady Hall

Mayor Harbertson said at the request of the Council, City staff prepared “Possible Motions” to both approve the rezone and to deny it. According to **David Petersen’s** memo to **Brady Hall** dated February 16, 2007, the Planning Commission recommends that the City Council approve the rezone request. His memo also included reasons why the City Council may choose not to accept the findings of the Planning Commission and deny the application to rezone the property. **Mr. Hall** was informed that this agenda item is not a public hearing so he will only be allowed to answer questions that the Council may have.

Agenda Item #10: Resolution Amending Cemetery Rules providing for the variances of rules by City Council under certain circumstances

Mayor Harbertson reviewed the proposed amendment to the Cemetery Rules which was drafted by the City Attorney. The Public Works Department visited **Mr. Hansen’s** plot and determined that if the height variance is granted, it will not block the sprinklers or cause the grass to die.

Max Forbush reviewed the history of the Cemetery Rules. The Cemetery Rules were amended in March 2006 to limit the height of the markers to 36".

Larry Haugen suggested that the height of the marker be reduced by placing the base lower in the ground.

Agenda Item #11: Reimbursement Agreement with Davis County for installation of Fiber Conduits in State Street

Max Forbush said the City Attorney recommends that consideration of this item be tabled to allow the Agreement to be finalized to include language authorizing the City to access the fiber conduits under the UDOT, UTA and UP railroad tracks through the permit process.

Agenda Item #12: Approval of Professional Services Agreements

- **Financial Advisor Services with Zions Bank**
- **IT Services with 3C Business Solutions**

Max Forbush reported that Zions Bank agreed to reduce the pricing of certain items and to reduce the term of the agreement to three years with renewable options. The City Attorney recommends that the City Council approve the Agreement to include the amendments. The agreement with IT Services with 3C Business Solutions is not yet finalized.

Agenda Item #13: Authorization to rent Maxine Schulties’ house for one year

City staff and the City Council discussed the proposal to rent the house for one year. City staff believes the market rate for a two-bedroom, 1 bathroom house is approximately \$800.

Max Forbush reported that the home has been vacant for the last few months since the bathroom was being renovated. The City paid the utilities during that time. When the home is rented, the occupants will pay their own utilities. He has potential renters who may be willing to maintain the property and the adjacent orchard.

The meeting adjourned at 6:55 P.M.

REGULAR CITY COUNCIL/CITY CHAMBERS/CALL TO ORDER

PRESENT: Mayor Scott C. Harbertson, Council Members Richard Dutson, David Hale, Larry W. Haugen, Paula A. Alder, Sidney C. Young, City Manager Max Forbush, City Planner David Petersen, City Recorder Margy Lomax, Youth City Council Members Katherine Ashby and Sharisa Bergler, and Recording Secretary Jill Hedberg.

Mayor Harbertson called the meeting to order at 7:00 P.M. **Margy Lomax** offered the invocation. The Pledge of Allegiance was led by **Boy Scout Ben Lentz**.

APPROVAL OF MINUTES OF PREVIOUS MEETING

David Hale moved to approve the minutes of the February 6, 2007, City Council Meeting. **Sid Young** seconded the motion with changes as noted. The voting was unanimous in the affirmative.

Sid Young moved to approve the minutes of the February 9, 2007, Special City Council Meeting. **Larry Haugen** seconded the motion. The voting was unanimous in the affirmative.

SPECIAL RECOGNITION OF CHRIS TAYLOR FOR SERVICE RENDERED ON CITY ARTS COUNCIL (Agenda Item #3)

Mayor Harbertson, Viola Kinney and Stephanie Paget presented a recognition award to **Chris Taylor** for her service on the City's Arts Council.

REPORT OF PLANNING COMMISSION (Agenda Item #4)

Kevin Poff reported proceedings of the Planning Commission meeting held February 15, 2007. He covered the following items:

- The Planning Commission unanimously passed a motion to reiterate their recommendation to the Council to approve Brady Hall's request to rezone the property located at 48 West 600 North from OTR-F and A-F to LR-F, and a recommendation for schematic plan approval for a proposed planned unit development (PUD) related thereto.

- The Planning Commission granted final plat approval for Farmington Greens PUD Phase 2A.
- The Planning Commission granted conditional use and site plan approval for an office building located at 1798 North Main Street on 3.1 acres.
- The Planning Commission granted site plan approval for a semi-private pool and cabana structure on property located at 2111 West Sharpshooter Drive (870 North) in an AE zone.
- The Planning Commission granted approval to amend the subdivision ordinance regarding the timing of public improvement bonds.
- The Planning Commission discussed the billboard legislation and made a formal motion for the legislatures to do all they can to give the City the ability to regulate the billboard issues.

PUBLIC HEARING: THE STEED PLACE PROJECT. CONSIDERATION OF REQUESTS TO:

- (1) **ADOPT ORDINANCE REZONING APPROXIMATELY 2.3 ACRES AT THE SOUTHWEST CORNER OF 200 EAST/200 SOUTH STREET INTERSECTION FROM A & R-4 TO R-4 PUD (2-1-07);**
- (2) **APPROVE PUD PRELIMINARY AND PUD FINAL MASTER PLAN AND FINAL PLAT APPROVAL FOR “THE STEED PLACE” PROJECT; AND**
- (3) **APPROVAL OF AMENDMENT #1 TO THE STEED PLACE DEVELOPMENT AGREEMENT - TODD BRADFORD**

According to packet information, on February 6, 2007, the Council determined that the developer failed to provide the minimum open space of 10% required for PUDs. If the Council determines that the revised PUD Master Plan and final plat meet this standard, City staff recommends that the Council grant approval.

Public Hearing

Mayor Harbertson opened the meeting to a public hearing and invited the applicant to address the Council.

Kent Nichols (11323 South 675 West, South Jordan, Utah) said at the request of the City Council, they revised their plan to include a park on the southeast corner of the development which will prevent Lot 14 from being a flag lot and will provide open space adjacent to the City property. They are now meeting the City’s 10% open space requirement.

David Petersen displayed the applicant’s previous schematic plan which did not meet the

City's 10% open space requirement. He then displayed the proposed schematic plan which complies with the City's standard.

Public Hearing Closed

With no forthcoming comments, **Mayor Harbertson** closed the public hearing and asked the City Council for their consideration.

In response to a question from **David Hale**, **Kent Nichols** stated that there will be two pathways that are 55 feet long. The area will remain open and will include iron fencing to separate the yards.

David Hale suggested that the area remain open and that it include landscaping.

Kent Nichols stated that they would be willing to follow **Mr. Hale's** suggestion.

Sid Young complimented the developers on their efforts to present an acceptable proposal.

David Hale encouraged the developer to make use of the creek and other natural resources in the area.

Kent Nichols said they plan to utilize the natural resources. They will incorporate new plants into the stream bank and will not remove the existing trees from the river bed. In order to remove any trees along the creek, they must receive permission from the State.

John Anderson (Historic Preservation Commission) praised the developers for their efforts to work with the Historic Preservation Commission. He asked when the developer plans to demolish the Steed cabin.

Kent Nichols said they will give the Steed family another opportunity to take care of the structure before it is demolished. They will provide the City a letter from the Steed family stating their intent within the next week.

In response to a question from **Sid Young**, **Kent Nichols** stated that they will not apply for a demolition permit unless the Steed family indicates that they are not interested in preserving the structure.

David Petersen suggested that the Council add a condition to their motion stating that the developer must preserve the vegetation on the site.

Kent Nichols stated that the trees along the stream bank will not be removed. If other trees on the property are removed to accommodate the subdivision or road system, they will replace each tree with 2- 2" caliber trees.

Motion

Sid Young moved that the City Council reaffirm and ratify the City Council's previous decision to adopt the Ordinance to rezone the property given the developer has met the 10% open space requirement. **David Hale** seconded the motion, which passed by unanimous vote.

Motion

Sid Young moved that the City Council approve the PUD preliminary master plan, the PUD final master plan and the final plat approval for "The Steed Place" project with the condition that the developer shall only remove trees that are necessary to create the subdivision and road system. **David Hale** seconded the motion, which passed by unanimous vote.

Motion

Sid Young moved that the City Council confirm and ratify the previous City Council action adopting the Amendment No. 1 to The Steed Place Development Agreement which shall include the following amendment:

5. ii. *City agrees to issue a permit to the developer to demolish the Rock Building **after the Developer provides the City with a letter from the Steed family which states that they are not interested in purchasing the Rock Building.** Upon issue of the permit, the Developer agrees to voluntarily contribute to the City \$25,000.00 which shall only be used by the City for historic preservation related capital improvements.*

The City Council authorizes City staff to fill in the blanks which are found in Paragraphs 3 and 5.i.a. **David Hale** seconded the motion, which passed by unanimous vote.

[**Rick Dutson** arrived at 7:38 P.M.]

PUBLIC HEARING: CONSIDERATION OF ORDINANCE REZONING ALL REMAINING PROPERTY WEST OF 4,218 FOOT ELEVATION LINE IN WEST FARMINGTON AND WEST OF THE FARMINGTON RANCHES SUBDIVISION FROM "A" OR "AE" TO "AA" (Agenda Item #6)

David Petersen displayed a Vicinity Map and pointed out where the Farmington Ranches Subdivision is located. He reviewed the following information which was included in the Planning Commission Staff Report dated May 11, 2006:

In 1993, the General Plan was updated restricting the density of development on all land west of the 4218' elevation line to one dwelling unit per five acres. However, corresponding text in the Zoning Ordinance, the AA zone, was not adopted until April of 1999. Meanwhile, the Boyer Company started the development process for the Farmington Ranches project prior to this date when all the land was zone A. The City agreed to zone all land east of 4218 line AE (Agriculture Estates) and the Boyer Company agreed to submit a yield plan for the property as if all land west of the 4218 line was zoned AA. Both parties agreed that land below the 4218 line must be rezoned upon development of the last phase of the project. Paragraph 2 of the Development Agreement states:

That portion of the Property at or above the elevation of 4218 feet above sea level is presently zoned "AE" and that portion of the Property which is located below 4218 feet above sea level is presently zoned "A". Developer hereby agrees that, upon completion of the project, all portions of the Property not included within public rights of way, single family lots, the church site and the school site may be rezoned by the City to "AA".

Mr. Petersen stated that he thought the plat would be recorded prior to the public hearing. It is up to the Council to decide whether the item should be tabled until the Council has received verification that Phase 8 has been recorded, or the Council may wish to approve the request subject to the plat being recorded.

Public Hearing

Mayor Harbertson opened the meeting to a public hearing.

Public Hearing Closed

With no forthcoming comments, **Mayor Harbertson** closed the public hearing and asked the City Council for their consideration.

Max Forbush recommended that the Council grant approval of the applicant's request with the recommendation that the effective date of the Ordinance be the same date that the plat is recorded.

In response to a question from **Sid Young**, **David Petersen** stated the lowest point west of the 4218 line is approximately 4215. According to the City's General Plan, properties that are below the 4218 line will not be developed.

Max Forbush reminded the Council that the City entered into a Development Agreement with the developer which states that after Phase 8 has been recorded, the developer will be restricted from further development.

Motion

Paula Alder moved that the City Council adopt ORDINANCE NO. 2007-13, AN ORDINANCE AMENDING THE ZONING MAP TO SHOW A CHANGE OF ZONE FOR ALL PROPERTY WITHIN THE FARMINGTON RANCHES PROJECT AREA AT OR BELOW AN ELEVATION OF 4218 FEET ABOVE SEA LEVEL FROM A AND AE TO AA with the effective date being the date the final plat is recorded. **Larry Haugen** seconded the motion, which passed by unanimous vote.

[**Larry Haugen** recused himself from the rostrum.]

CONSIDERATION OF ORDINANCE REZONING APPROXIMATELY 10 ACRES OF PROPERTY LOCATED AT 48 WEST 600 NORTH FROM “OTR” AND “A-F” TO “LR-F” (2-14-06)/CONSIDERATION OF SCHEMATIC PLAN APPROVAL FOR THE PROPERTY - BRADY HALL (Agenda Item #7)

Mayor Harbertson reviewed the applicant's request. The Hansens signed a written statement authorizing the City to use the affidavit which was used for the developer's previous application. Mr. Owens gave the City verbal approval to use his previous affidavit.

David Hale said he thinks it would be wise to master plan the entire area prior to allowing development on individual properties. It would also be wise for the City to consider stubbing a street to provide an additional way to traverse the creek in the future.

Sid Young said the City Council is responsible to zone appropriately, while at the same time considering the rights of individual property owners. There are historic homes on the property that must also be considered. He is concerned about the small existing property that is zoned R-8. Although the developer has done a significant amount of work to improve their proposal, he is still concerned about the twin homes being located in such a visible area; the traffic and density; and how the development will look in the future.

Rick Dutson complimented the developers on their efforts to improve the plan. He stated that he is concerned that if this project is approved, it will set a precedent for the undeveloped properties in the area. He does not think this proposal supports the downtown ambiance the City has tried to preserve.

Paula Alder said she shares the concerns that have been expressed by the other members of the Council.

Mayor Harbertson said this is a unique area in the City. The Visioning Committee determined that the City should restore and preserve the historic downtown area. Any development on this property should be appealing to the City Council and the residents. The City Council does

not want twin homes located on this unique property. The City wants to provide an opportunity for empty nester type communities, but he does not think this is the appropriate location for that type of development.

David Hale asked if the developer would be precluded from coming back with a significant change if the Council were to deny the request.

David Petersen said the property owner can not apply for the same rezone within one year of the disapproval of the City Council unless the Planning Commission determines that there has been a substantial change in the circumstances to merit consideration of a second application prior to the expiration of such time.

Motion

Rick Dutson moved that the City Council deny approval of the rezone. **Paula Alder** seconded the motion. The City Council established the following findings:

- Much of the property is designated “Low Density Residential” on the City’s future General Land Use Plan. Although the “low density” designation is generally appropriate for and applicable to 1) originally platted residential areas in “Old Farmington” and 2) developed/developing residential area adjacent to and east of Main Street in north and central Farmington, the LR zone for this specific site is not.
- The property is next to Farmington Pond and the Farmington Creek Trail, and is part of the City’s original core. The LR zone does not conserve and protect the beauty and distinctive features of this area. Therefore this zone for this site is not consistent with the community goal set forth in the City’s General Plan to encourage orderly residential growth and development in a manner that preserves and maintains compatibility with adjacent land uses, considers the protection of sensitive areas and unique nature features, preserves Farmington’s existing character as a predominantly low density, single-family residential community, and maintains and complements Farmington’s “quality of life” amenities including family-friendly neighborhoods, historic character, open space, parks and trails.
- There are other zones identified in the General Plan that would fit the Low Density Residential category. One or more of those zones may be more appropriate.

The motion passed by unanimous vote.

REQUEST FOR APPROVAL TO HOLD EMERGENCY PREPAREDNESS FAIR IN APRIL/REPORT BY EMERGENCY PREPAREDNESS COORDINATOR - PAUL WHITE

(Agenda Item #8)

Emergency Awareness Fair - April 21st - 9:00 a.m. - 2:00 p.m. - Farmington Junior High

Jeff Midgley reported on the plans for the Emergency Awareness Fair. The main goal of the committee is to educate the public and make sure they are prepared.

Paul White reported that the Fair will be advertised in the City newspaper, as well as by the local churches. He requested a letter from the Mayor requesting that the local churches announce the fair during their Sunday meetings. He also requested that the Mayor sign the contract with the Davis County School District for the use of the junior high.

CERT - Class Schedules

Darren Regis reported that they plan to focus on the following three areas:

1. Build upon the existing training program
2. Promote general community education
3. Miscellaneous

They plan to accomplish one goal every quarter.

Emergency Communications - Radios and other equipment

Paul White reported that the radios they have been using are no longer serviceable. He requested that the Council consider purchasing 8 new radios which will cost \$700 each. The new radios will allow the Emergency Preparedness team to be able to coordinate with district stake centers.

David Hale suggested that **Mr. White** contact a representative from Mosquito Abatement to discuss the possibility of using their old radios. He requested that **Mr. White** order vests that the Mayor and Council can wear during an emergency situation.

MINUTE MOTION APPROVING SUMMARY ACTION LIST (Agenda Item #9)

Larry Haugen moved that the City Council approve the following items by consent as follows:

- 9-1. Ratification of Construction Bond Agreements previously signed by Mayor Harbertson.
- 9-2. Approval of Escrow Improvements Agreement with Farmington Development

Corporation (Garbett Homes) for Farmington Crossing North.

- 9-3. Approval of Escrow Improvements Agreement with JMR Land & Development for Farmington Manor Subdivision.

Paula Alder seconded the motion, which passed by unanimous vote.

RESOLUTION AMENDING CEMETERY RULES PROVIDING FOR THE VARIANCES OF RULES BY CITY COUNCIL UNDER CERTAIN CIRCUMSTANCES (Agenda Item #10)

According to packet information, former Congressman Hansen wants to install a raised monument in the cemetery which is 44 inches high. This violates the existing City policies of a maximum height of 36 inches. The design of the monument meets all other specifications. Mr. Hansen is trying to pattern his monument after former Governor Matheson and others to fit relevant information for his service in Congress as well as family information.

Mayor Harbertson reminded the Council that they are acting on an amendment to the Cemetery Rules, not a request from Jim Hansen. He read the following proposed amendment to the Cemetery Rules:

10. Variance. An application for a variance from the specifications relating to markers may be filed for consideration with the Farmington City Council. The City Council may authorize a variance when the City Council finds that the variance requested is reasonable, will be in harmony with the rest of the Cemetery, and will be generally consistent with the intent of these rules and regulations.

Max Forbush said this recommendation was provided by the City Attorney as an option if the Council wants to allow for a variance on the size of the cemetery markers.

Sid Young stated that there are larger markers within the cemetery. He is not opposed to providing a way to consider variance requests so long as the request meets the three criteria items that are listed in the variance.

Motion

Sid Young moved that the City Council adopt RESOLUTION NO. 2007-14, A RESOLUTION OF THE FARMINGTON CITY COUNCIL ADOPTING AMENDED RULES AND REGULATIONS FOR THE FARMINGTON CITY CEMETERY to include paragraph 10 which pertains to variances. **David Hale** seconded the motion.

Paula Alder said she is opposed to the amendment since it will create more work for the City Council and City staff. She is also concerned that a precedent will be set when variances are granted.

Council Member Haugen was also opposed.

The motion passed by a 3 to 2 vote.

REIMBURSEMENT AGREEMENT WITH DAVIS COUNTY FOR INSTALLATION OF FIBER CONDUITS IN STATE STREET (Agenda Item #11)

Max Forbush reported that the Reimbursement Agreement has not yet been finalized. The Council will discuss the Agreement at their first meeting in March.

APPROVAL OF PROFESSIONAL SERVICES AGREEMENTS (Agenda Item #12):

Financial Advisor Services with Zions Bank

Mayor Harbertson stated that it is the recommendation of the City Attorney and City staff that the following amendments be made to the agreement:

- Paragraph 7 shall be amended to include a fee of \$4,000 rather than \$5,000.
- Paragraph 14 shall be amended as follows:
 - *Bonds with a Par amount up between \$2 and \$5 million: \$3.00 per thousand*
- The term of the agreement shall be three years with optional two-year renewal terms.

Motion

David Hale moved that the City Council approve the Professional Services Agreement with Zions Bank with the recommendations that were discussed by the Council. **Larry Haugen** seconded the motion, which passed by unanimous vote.

IT Services with 3C Business Solutions

Mayor Harbertson reported that the Agreement with IT Services with 3C Business Solutions has not yet been finalized. It will be considered at a future City Council meeting.

AUTHORIZATION TO RENT MAXINE SCHULTIES' HOUSE FOR ONE YEAR (Agenda Item #13)

Max Forbush stated that it would not be prudent for the City to sell the property until the City has completed its Parks and Recreation Master Plan and its Downtown Master Plan. He recommended that City staff be authorized to rent the house until June 30, 2008, for \$800 or less depending if qualified renters are willing to do the exterior yard maintenance on this property as well as the City's adjacent property.

Mayor Harbertson and the City Council indicated that they would prefer renting to individuals who will maintain the yard and the home. It was recommended that the landscaping on the south side of the home be improved and maintained as part of the agreement.

Motion

David Hale moved that the City Council authorize City staff to rent the Maxine Schulties house until June 30, 2008 and authorize City staff to rent the house for \$850 to \$650 depending if qualified renters are willing to perform the exterior yard maintenance on this property as well as the City's adjacent property (Mary Myers' former residence). **Rick Dutson** seconded the motion, which passed by a 4 to 1 vote.

MAYOR HARBERTSON'S REPORT (Agenda Item #14)

- **Mayor Harbertson** reported that the County and Davis County School District are considering sharing the cost with the City to hire a consultant to consider the Downtown Master Plan.
- **Mayor Harbertson** met with Trophy Homes regarding their property that is located on the corner of Clark Lane and 650 West.
- **Mayor Harbertson** and City staff attended a meeting with **Ron Martinez**. They have also attended meetings with **Rich Haws**.

CITY COUNCIL REPORTS (Agenda Item #15)

Council Member Alder Report

- **Paula Alder** attended the Leisure Services meeting where they discussed the Ute Footballs League's proposal for the Farmington youth to be included in their program.
- **Paula Alder** attended the Youth City Council meeting. She reported that the Youth City Council will accept all individuals who apply to be on the Council. She also reported that the Youth City Council retreat will be held in Farmington.
- **Paula Alder** also attended the Chamber of Commerce meeting.

Council Member Hale Report

- **David Hale** reported that **Glen Leonard** will not be able to write the first chapter of the Farmington City History before he leaves on his mission. **Mr. Leonard** gave him

old photos of different areas of the City.

Council Member Young

- **Sid Young** attended the Policy Committee Meeting. The following items were discussed:
 - House Bill 282: This bill would remove food sales tax but would be revenue neutral. The motion to support the direction of the bill passed by unanimous vote.
 - House Bill 233: The League is opposed to this bill which pertains to environmental litigation since it would significantly effect the municipalities.
 - House Bills 334, 352, 198 and 166 were also discussed.
- **Sid Young** attended a meeting with **Max Forbush**, **Mayor Harbertson**, and representatives from the County and the Davis County School District regarding the Downtown Master Plan.

Council Member Haugen Report

Larry Haugen reported the following information:

- **Larry Haugen** attended the Burn Plant meeting. Members of the Burn Plant Board are considering a proposal to sell or trade land to buffer the adjacent properties from the burn plant. An agreement was signed by several of the northern Utah counties to share a land fill within the next five to eight years.
- **Larry Haugen** reported that Merry Dean is moving.

MISCELLANEOUS

Max Forbush reminded the members of the Council that the Law Enforcement Awards Night will be held on February 27, 2007 to honor a member of the Farmington Police Department and Merry Dean.

CLOSED MEETING

A motion was made by **Paula Alder** for the Council to adjourn to go into a closed meeting to discuss the acquisition of real property, professional competency and character of an individual and to discuss strategy as it pertains to potential litigation. The motion was seconded **Rick Dutson**. The motion passed with Council Members Hale, Young, and Haugen all voting in favor.

SWORN STATEMENT

I, Scott Harbertson, Mayor of Farmington City, do hereby affirm that the items discussed in the closed meeting were as stated in the motion to go into closed session and that no other business was conducted while the Council was convened in a closed meeting.

Scott C. Harbertson, Mayor

At 10:05 p.m. a motion was made by Council Member Hale to reconvene into open session. The motion was seconded by Council Member Haugen and passed with a unanimous vote.

There being no further business to come before the body and upon motion by Council Member Hale to adjourn the meeting with a second on the motion by Council Member Haugen the meeting was adjourned.

Margy Lomax, City Recorder
Farmington City